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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

8 BOARD OF TRUSTEES OF THE No. C-07-1740 EMC  
9 LABORERS HEALTH AND WELFARE  
FUND FOR NORTHERN CALIFORNIA,

10 Plaintiff,

## **ORDER SETTING CASE MANAGEMENT CONFERENCE**

11 || v.

12 DOCTORS MEDICAL CENTER OF  
MODESTO, INC., *et al.*,

## Defendants.

16 On March 27, 2007, Plaintiff filed suit against Defendants Doctors Medical Center for  
17 Modesto, Inc. and American Arbitration Association, Inc. (“AAA”). According to a proof of service  
18 submitted by Plaintiff, AAA was served with the summons and complaint on March 29, 2007.

19        AAA did not respond to the complaint or otherwise make an appearance. Accordingly, on  
20 April 19, 2007, Plaintiff moved for entry of default with respect to AAA. On May 3, 2007, the AAA  
21 sent a letter to counsel for Plaintiff, informing it that AAA would not be appearing or otherwise  
22 participating in the litigation because the litigation was “improperly commenced against AAA.”  
23 AAA asserted that arbitral organizations such as itself are immune from suits such as the one  
24 brought by Plaintiff.

25        In light of the above situation, the Court hereby schedules an expedited case management  
26 conference for **May 16, 2007, at 2:30 p.m.** The Court shall permit AAA to make a special  
27 appearance for the case management conference (*i.e.*, such appearance shall not be deemed a general  
28 appearance).

1 The parties need not file a Case Management Conference statement in advance of this  
2 hearing.

3 Plaintiff is ordered to immediately serve a copy of this order on AAA. Service must be  
4 accomplished so that the order is received by AAA no later than May 11, 2007.

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6 IT IS SO ORDERED.  
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8 Dated: May 8, 2007

  
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10 EDWARD M. CHEN  
11 United States Magistrate Judge